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(Original Signature of Member)

118TH CONGRESS
1ST SESSION

H. R.

To establish certain reporting and other requirements relating to telecommunications equipment and services produced or provided by certain entities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. WILD introduced the following bill; which was referred to the Committee on _____

A BILL

To establish certain reporting and other requirements relating to telecommunications equipment and services produced or provided by certain entities, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Countering Untrusted
5 Telecommunications Abroad Act”.

6 **SEC. 2. SENSE OF CONGRESS.**

7 It is the sense of Congress that—

1 (1) the national security of the United States is
2 affected by the telecommunications security of
3 United States allies, partners, and other countries
4 around the globe;

5 (2) the importance of mobile and internet serv-
6 ices makes such services tempting and effective tools
7 for malign influence and economic coercion;

8 (3) Huawei Technologies Company and ZTE
9 Corporation (and any subsidiary or affiliate of either
10 such entity) should not serve as a vendor of tele-
11 communications equipment or services given the
12 close ties to, and control over, such entities by the
13 People's Republic of China; and

14 (4) it is in the economic and national security
15 interests of the United States to ensure that coun-
16 tries around the globe use trusted telecommuni-
17 cations equipment or services.

18 **SEC. 3. REPORT ON UNTRUSTED TELECOMMUNICATIONS**
19 **EQUIPMENT OR SERVICES IN COUNTRIES**
20 **WITH COLLECTIVE DEFENSE AGREEMENT**
21 **WITH UNITED STATES.**

22 (a) REPORT.—Not later than 180 days after the date
23 of the enactment of this Act, and annually thereafter for
24 two years, the Secretary of State, in consultation with the
25 Assistant Secretary of Commerce for Communications and

1 Information, shall submit to the Committees on Foreign
2 Affairs and Energy and Commerce of the House of Rep-
3 resentatives and the Committees on Foreign Relations and
4 Commerce, Science, and Transportation of the Senate a
5 report on the prevalence of untrusted telecommunications
6 equipment or services in the networks of United States
7 allies and partners.

8 (b) MATTERS.—The report under subsection (a) shall
9 enumerate each United States ally or partner with respect
10 to which the United States has entered into a collective
11 defense agreement and include, for each such country, the
12 following:

13 (1) A description of the presence, or lack there-
14 of, of untrusted telecommunications equipment or
15 services in any 5G network of the country.

16 (2) If any untrusted telecommunications equip-
17 ment or service is present in such a network—

18 (A) an enumeration of any mobile carriers
19 that are using the untrusted telecommuni-
20 cations equipment or service present, and any
21 mobile carriers that are not;

22 (B) a determination of whether the
23 untrusted telecommunications equipment or
24 service present is in the core or periphery of the
25 network; and

1 (C) any plans by the United States ally or
2 partner, or the individual mobile carrier, to rip
3 and replace the untrusted telecommunications
4 equipment or service present with a trusted
5 telecommunications equipment or service.

6 (3) A description of any plans by network oper-
7 ators to use untrusted communications equipment or
8 services in the deployment of Open Radio Access
9 Network (Open RAN) technology, or any successor
10 to such technology, or in future 6G networks.

11 **SEC. 4. REPORT ON COVERED TELECOMMUNICATIONS**
12 **EQUIPMENT OR SERVICES IN UNITED STATES**
13 **EMBASSIES.**

14 (a) FINDINGS.—Congress finds the following:

15 (1) The Comptroller General of the United
16 States has reported that 23 percent of all tele-
17 communications device manufacturers of the Depart-
18 ment of State have at least one supplier reported to
19 be headquartered in the People’s Republic of China
20 or the Russian Federation.

21 (2) The Comptroller General has reported that
22 four percent of all telecommunications contractors of
23 the Department of State have at least one supplier
24 reported to be headquartered in the People’s Repub-
25 lic of China.

1 (b) REPORT.—

2 (1) IN GENERAL.—Not later than 180 days
3 after the date of the enactment of this Act, the Sec-
4 retary of State, in consultation with the heads of
5 such other departments and agencies as the Sec-
6 retary determines necessary, shall submit to the
7 Committee on Foreign Affairs of the House of Rep-
8 resentatives and the Committee on Foreign Rela-
9 tions of the Senate a report containing an assess-
10 ment of the use of covered telecommunications
11 equipment or services in United States embassies
12 and by United States embassy staff and personnel.

13 (2) MATTERS.—The report under paragraph
14 (1) shall include information on the following:

15 (A) The status of the implementation by
16 the Secretary of State of the prohibition under
17 subsection (a)(1) of section 889 of the John S.
18 McCain National Defense Authorization Act for
19 Fiscal Year 2019 (Public Law 115–232; 132
20 Stat. 1917; 41 U.S.C. 3901 note prec.) with re-
21 spect to equipment, systems, and services used
22 at United States embassies, including—

23 (i) an identification of the United
24 States embassies with respect to which the
25 Secretary has implemented such prohibi-

1 tion, and an identification of those with re-
2 spect to which the Secretary has not imple-
3 mented such prohibition, if any;

4 (ii) an identification of any difficulties
5 that have delayed the implementation of
6 such prohibition by the Secretary with re-
7 spect to United States embassies, such as
8 visibility into supply chains, costs of equip-
9 ment replacement, and plans for timely re-
10 mediation;

11 (iii) information on any waivers that
12 have been granted to an entity under sub-
13 section (d) of such section 889 for equip-
14 ment, systems, or services used at United
15 States embassies, including a justification
16 of why each waiver was granted and any
17 other information required pursuant to
18 paragraph (1)(B) of such subsection; and

19 (iv) for any entity that has sought a
20 waiver specified in clause (iii), the imple-
21 mentation status of the phase-out plan of
22 the entity submitted by the entity pursuant
23 to subsection (d) of such section 889.

24 (B) Information regarding the extent to
25 which the digital devices of United States em-

1 bassy staff and personnel are serviced by
2 Huawei Technologies Company or ZTE Cor-
3 poration (or any subsidiary or affiliate of either
4 such entity), or any other entity headquartered
5 in the People's Republic of China, and an as-
6 sessment of the likelihood of the intelligence
7 services of the People's Republic of China gain-
8 ing access to the contents and data of the dig-
9 ital devices used by United States embassy per-
10 sonnel as a result of any such servicing.

11 (C) Any other information regarding ongo-
12 ing efforts to safeguard the communications se-
13 curity of United States embassies.

14 (3) FORM.—The report under paragraph (1)
15 shall be submitted in unclassified form, but may in-
16 clude a classified annex.

17 **SEC. 5. SUPPORTING TRUSTED TELECOMMUNICATIONS.**

18 (a) IN GENERAL.—The Secretary of State, in con-
19 sultation with the Assistant Secretary of Commerce for
20 Communications and Information, shall select for the pro-
21 vision of support under this section telecommunications in-
22 frastructure projects that have the potential, as deter-
23 mined by the Secretary, to promote the national security
24 of the United States and meet such other requirements
25 as the Secretary may prescribe.

1 (b) DIPLOMATIC AND POLITICAL SUPPORT.—The
2 Secretary of State shall provide to each project selected
3 under subsection (a), as appropriate, diplomatic and polit-
4 ical support, including by using the diplomatic and polit-
5 ical influence and expertise of the Department of State
6 to build the capacity of countries to resolve any impedi-
7 ments to the development of the project.

8 (c) EARLY STAGE PROJECT SUPPORT.—The Director
9 of the United States Trade and Development Agency
10 should provide, as appropriate, early-stage project support
11 with respect to projects selected under subsection (a).

12 **SEC. 6. DISCLOSURE AND TRANSPARENCY OF UNTRUSTED**
13 **COMMUNICATIONS EQUIPMENT.**

14 (a) IN GENERAL.—Section 13 of the Securities Ex-
15 change Act of 1934 (15 U.S.C. 78m) is amended by add-
16 ing at the end the following new subsection:

17 “(s) DISCLOSURE OF CERTAIN ACTIVITIES RELATED
18 TO UNTRUSTED TELECOMMUNICATIONS EQUIPMENT.—

19 “(1) IN GENERAL.—Each issuer required to file
20 an annual or quarterly report under subsection (a)
21 shall disclose in that report the information required
22 in paragraph (2) if, during the period covered by the
23 report, the issuer or any affiliate of the issuer used
24 or contracted to use covered telecommunications
25 equipment or services.

1 “(2) INFORMATION REQUIRED.—If an issuer or
2 affiliate of the issuer has engaged in an activity de-
3 scribed in paragraph (1), the issuer shall disclose
4 such activity, including a detailed description of—

5 “(A) whether the covered telecommuni-
6 cations equipment or services are being used in
7 a mobile network run by the issuer, and wheth-
8 er those equipment or services were used in the
9 core or periphery of the network;

10 “(B) whether the covered telecommuni-
11 cations equipment or services were used for
12 cloud computing or data storage;

13 “(C) whether any covered telecommuni-
14 cations equipment or services were replaced
15 with other vendors; and

16 “(D) whether the issuer is currently engag-
17 ing in negotiations or planning to contract to
18 use additional covered telecommunications
19 equipment or services.

20 “(3) NOTICE OF DISCLOSURES.—If an issuer
21 reports under paragraph (1) that the issuer or an
22 affiliate of the issuer has knowingly engaged in any
23 activity described in that paragraph, the issuer shall
24 separately file with the Commission, concurrently
25 with the annual or quarterly report under subsection

1 (a), a notice that the disclosure of that activity has
2 been included in that annual or quarterly report that
3 identifies the issuer and contains the information re-
4 quired by paragraph (2).

5 “(4) PUBLIC DISCLOSURE OF INFORMATION.—
6 Upon receiving a notice under paragraph (3) that an
7 annual or quarterly report includes a disclosure of
8 an activity described in paragraph (1), the Commis-
9 sion shall promptly—

10 “(A) transmit the report to—

11 “(i) the President;

12 “(ii) the Committees on Foreign Af-
13 fairs, Energy and Commerce, and Finan-
14 cial Services of the House of Representa-
15 tives; and

16 “(iii) the Committees on Foreign Re-
17 lations, Commerce, Science, and Transpor-
18 tation, and Banking, Housing, and Urban
19 Affairs of the Senate; and

20 “(B) make the information provided in the
21 disclosure and the notice available to the public
22 by posting the information on the Internet
23 website of the Commission.

24 “(5) COVERED TELECOMMUNICATIONS EQUIP-
25 MENT OR SERVICE DEFINED.—In this subsection,

1 the term ‘covered telecommunications equipment or
2 service’ has the meaning given to the term ‘covered
3 communications equipment or service’ in section 9 of
4 the Secure and Trusted Communications Network
5 Act of 2019 (47 U.S.C. 1608).”.

6 (b) **EFFECTIVE DATE.**—The amendment made by
7 subsection (a) shall take effect with respect to reports re-
8 quired to be filed with the Securities and Exchange Com-
9 mission after the date that is 180 days after the date of
10 the enactment of this Act.

11 **SEC. 7. DEFINITIONS.**

12 In this Act:

13 (1) **COVERED TELECOMMUNICATIONS EQUIP-**
14 **MENT OR SERVICE; UNTRUSTED TELECOMMUNI-**
15 **CATIONS EQUIPMENT OR SERVICE.**—The terms “cov-
16 ered telecommunications equipment or service” and
17 “untrusted telecommunications equipment or serv-
18 ice” have the meaning given to the term “covered
19 communications equipment or service” in section 9
20 of the Secure and Trusted Communications Network
21 Act of 2019 (47 U.S.C. 1608).

22 (2) **TRUSTED TELECOMMUNICATIONS EQUIP-**
23 **MENT OR SERVICE.**—The term “trusted tele-
24 communications equipment or service” means any

- 1 telecommunications equipment or service that is not
- 2 a covered telecommunications equipment or service.